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02/26/02
J1040 U.S. PTO**UTILITY PATENT APPLICATION TRANSMITTAL**
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
13914.380.1.1.1Total Pages in this Submission
76**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

FOLD-OUT TREADMILL

and invented by:

William T. Dalebout
Rodney Hammer
Rick HendricksonIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/470,605

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/231,208

Which is a:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/626,237

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 55 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

J-971 U.S. PTO
10/083453

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 11
- b. ☐ Informal Number of Sheets _____
4. ☐ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☐ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EV 001341099 US

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Accompanying Application Parts (Continued)

17. ☐ Additional Enclosures (please identify below):

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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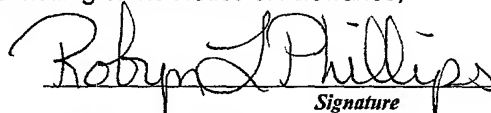
☒ The Assistant Commissioner is hereby authorized to charge payment in the amount of \$1,220.00 to cover the filing fee as indicated on the enclosed Credit Card Payment Form, PTO-2038.

Fee Calculation and Transmittal

CLAIMS AS FILED

| For | #Filed | #Allowed | #Extra | Rate | Fee |
|--|--------|----------|--------|-----------|------------|
| Total Claims | 28 | - 20 = | 8 | x \$18.00 | \$144.00 |
| Indep. Claims | 7 | - 3 = | 4 | x \$84.00 | \$336.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| BASIC FEE | | | | | \$740.00 |
| OTHER FEE (specify purpose) | | | | | \$0.00 |
| TOTAL FILING FEE | | | | | \$1,220.00 |

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

Robyn L. Phillips
Registration No. 39,330
Attorney for Applicant
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 E. South Temple
Salt Lake City, UT 84111
Tel: (801) 533-9800 Fax: (801) 328-1707

Dated: February 26, 2002

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): William T. Dalebout, et al.

Docket No.

13914.380.1.1.1

Serial No.
Unassigned

Filing Date

Examiner
UnassignedGroup Art Unit
UnassignedInvention: **FOLD-OUT TREADMILL**

I hereby certify that the following correspondence:

Patent Application (55 pgs.); Utility Patent Application Transmittal (Large Entity) (4 pgs.) (in duplicate); Certificate of Mailing by "Express Mail" (37 CFR § 1.10) - Label # EV 001341099 US (1 pg.); 11 Sheets of Formal Drawings; Credit Card Payment Form, PTO 2038 in the amount of \$1,220.00 (1 pg.); and Postcard.

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 26, 2002*(Date)*Robyn L. Phillips*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV 001341099 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**